



W.P.(MD)No.18157 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.18157 of 2025

and

W.M.P.(MD)No.13901 of 2025

Natchiammal @ Malliga

... Petitioner

Vs.

**1.The Commissioner,
Trichy Corporatio, Trichy.**

**2.The Assistant Commissioner,
No.5 Ward Committee Office,
Trichy Corporation, Trichy.**

**3.The Tahsildar,
Trichy West Taluk,
Trichy.**

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned proceedings of the 2nd respondent in his proceedings in Na.Ka.No.2722/2025/E1(Va.Ku.A5), dated 30.06.2025 as illegal and quash the same.



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For Petitioner : Mr.V.Karuna
For R3 : Mr.J.Ashok,
Additional Government Pleader

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The Assistant Commissioner / 2nd respondent issued the impugned order dated 23.06.2025, which is received by the petitioner on 30.06.2025 for removing the encroachment.

2.Such notice would not provide a cause for institution of the Writ proceedings. Noticee, on receipt of such notice, has to respond by submitting his / her explanation along with documents if any. No Writ is entertainable against the notice, unless it is issued by an incompetent authority having no jurisdiction or tainted with the allegation of *mala fide*. Thus, the petitioner is at liberty to submit her explanation along with documents if any and on receipt of the same, the authorities competent shall consider the same and thereafter, take a decision and pass final orders for removal of encroachments by following the procedures as contemplated under the Act.



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3. With the above observations, this Writ Petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (A.D.M.C., J.)
03.07.2025

NCC : Yes / No
Index : Yes / No

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To

The Tahsildar,
Trichy West Taluk,
Trichy.



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